

Plaintiff has asked to be allowed to proceed in forma pauperis in this matter. (Doc. No. 1-2). On September 15, 2006, this Court entered an Order in case 5:06CV119-2-MU dismissing Plaintiff's Complaint as frivolous. In addition, the Court noted that Plaintiff was subject to the three

strike provision of 28 U.S.C. § 1915(g). Plaintiff's present Complaint does not allege that he is in imminent danger of serious physical harm and consequently his Complaint will be dismissed.

THEREFORE, IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915(g).

Signed: August 14, 2009

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

